

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 28, 2009
SAN FRANCISCO, CALIFORNIA**

S148463 F047448 Fifth Appellate District

**PEOPLE v. JONES (DANIEL
LAQUINN)**

Rehearing denied

Baxter, J., was recused and did not participate.

S175975 D055459 Fourth Appellate District, Div. 1

**INTERGULF
DEVELOPMENT
(KETTNER), LLC. v. S.C.
(INTERSTATE FIRE &
CASUALTY COMPANY)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division One, with directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S176482 A121847 First Appellate District, Div. 1

**B. (JACQUELINE),
CONSERVATORSHIP OF**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division One

The petition for review is granted.

The matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate the order dismissing the appeal, to reinstate the appeal, and to consider the cause on the merits. (*Conservatorship of Susan T.* (1994) 8 Cal.4th 1005, 1011, fn. 5.)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S075699**PEOPLE v. MARTINEZ
(MIGUEL ANGEL)**

Appeal abated

Respondent's "Motion to Abate Appeal," filed on October 1, 2009, is granted. As indicated in a certified copy of a certificate of death, appellant Miguel Angel Martinez died on July 26, 2009. All proceedings in *People v. Miguel Angel Martinez*, case no. S075699, are permanently abated, and the Superior Court of California, County of Los Angeles, is directed to enter an order to that effect in case No. VA022024. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.)

S172198

B196535 Second Appellate District, Div. 7

**PEOPLE v. RODRIGUEZ
(SALVADOR)**

Transferred to Court of Appeal, Second Appellate District, Division Seven, after hold
The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its decision and reconsider the cause in light of *People v. Brookfield* (2009) 47 Cal.4th 583. (Cal. Rules of Ct., rule 8.528(d).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S174861

B204725 Second Appellate District, Div. 1

**OZERSON (ELIZABETH) ON
H.C.**

Petition for review denied

Moreno, J., is of the opinion the petition should be granted.

S174871

A113671/A113670/A123374

First Appellate District, Div. 3

**PEOPLE v. BROWN
(NAPOLEON)**

Petition for review denied

S175457

A125237 First Appellate District, Div. 3

**CHATMAN (WALDEN) ON
H.C.**

Petition for review denied

S175466

E046128 Fourth Appellate District, Div. 2

**PEOPLE v. BLACK (IRIS
LEE)**

Petition for review denied

Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

S175484 A125611 First Appellate District, Div. 3
Petition for review denied

MEDINA (RENE) ON H.C.

S175594 B206328 Second Appellate District, Div. 2

Petitions for review denied

**PEOPLE v. MANCERA
(RAYMOND MESA)**

S175639 G041227 Fourth Appellate District, Div. 3

Petition for review denied

**RODRIGUEZ (NICANOR) ON
H.C.**

S175671 D054757 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BUSKIRK
(NICHOLAS)**

S175683 H034484 Sixth Appellate District

Petition for review denied

**GALVAN (RICHARD RYAN)
ON H.C.**

S175691 F058094 Fifth Appellate District
The petition for review is denied as moot.

HUDSON (MARCO) ON H.C.

S175692 B217719 Second Appellate District, Div. 7
Petition for review denied

BULL (EMMANUEL) ON H.C.

S175707 D053391 Fourth Appellate District, Div. 1

**MESSENGER COURIER
ASSOCIATION OF THE
AMERICAS v. CALIFORNIA
UNEMPLOYMENT
INSURANCE APPEALS
BOARD**

Petition for review denied

S175709 F055159 Fifth Appellate District

Petition for review denied

**PEOPLE v. ROBINSON
(CLIFTON)**

S175711 F056359 Fifth Appellate District

Petition for review denied

IN RE E.C.

S175724 A121195 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. OSBORNE
(CHRISTOPHER LEE)**

S175728 C059154 Third Appellate District

Petition for review denied

PEOPLE v. HUDSON (TY)

S175731 C057782 Third Appellate District

Petition for review denied

**PEOPLE v. STUCKEY (GARY
WAYNE)**

S175733 B205322 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. SCHWARZ
(MICHAEL)**

S175742 H033491 Sixth Appellate District

Petition for review denied

**PEOPLE v. BOOKER
(MICHAEL LOUIS)**

S175745 F056005 Fifth Appellate District

Petition for review denied

**PEOPLE v. THOMPSON III
(EDWARD LARRY)**

S175770 B217987 Second Appellate District, Div. 3

Petition for review denied

COOLEY (WILLIE) ON H.C.

S175772 D052147 Fourth Appellate District, Div. 1

Petition for review denied
The request for judicial notice is denied.

**PEOPLE v. BLOUNT
(TREVESIA MICHELLE)**

S175775 H034516 Sixth Appellate District

Petition for review denied

**LANE (DOUGLAS GENE) ON
H.C.**

S175776 C061476 Third Appellate District

Petition for review denied
The request for judicial notice is denied.

**BRANNER (GEORGE R.) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

S175798 B204210 Second Appellate District, Div. 3

Petition for review denied

**ABBOTT LABORATORIES,
INC. v. FRANCHISE TAX
BOARD**

S175807 G039432 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HENDERSON
(JENNIFER)**

S175812 G041709 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. KIRKLEY (JASON
SCOTT)**

S175820 C058585 Third Appellate District

Petition for review denied
Werdegar, J., is of the opinion the petition should be granted.

**PEOPLE v. DAVIS (MICHAEL
BLAIR)**

S175841 B203650 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. THOMPSON
(PERRIE)**

S175846 B210780 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. HERRARTE
(AUDEL)**

S175848 G040661 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. TEDESCHI (IAN
ROBERT)**

S175852 B212477 Second Appellate District, Div. 7

Petition for review denied

**SCHWARZ (MICHAEL P.) ON
H.C.**

S175856 B208952 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. STRANGE
(DEBRA LOUISE)**

S175867 E046175 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GUERRERO
(SERGIO)**

S175871 H034524 Sixth Appellate District

Petition for review denied

**GARDNER (LARRY A.) ON
H.C.**

S175880 A125801 First Appellate District, Div. 3

Petition for review denied

RUSSELL (RONALD) ON H.C.

S175901 D052350 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CHAU (MINH
CHOUNG)**

S175903 B200927 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BROWN
(DERRICK D.)**

S175933 B195226 Second Appellate District, Div. 2

Petition for review denied

**TAYLOR (JANICE &
LAWRENCE N.), MARRIAGE
OF**

S175969 E044917 Fourth Appellate District, Div. 2

Petition for review & depublication request(s) denied
The request for judicial notice is granted.
Baxter, J., is of the opinion the petition should be granted.

**LAABS (AMANDA) v.
SOUTHERN CALIFORNIA
EDISON COMPANY**

S175986 F055405 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

**PEOPLE v. BILBREW
(CHARLOTTE YVETTE)**

S176021 F055486 Fifth Appellate District

Petition for review denied

**PEOPLE v. WAGONER
(JIMMY DOUGLAS)**

S176040 B215214 Second Appellate District, Div. 1

Petition for review denied

**LOS ANGELES, COUNTY OF
v. WORKERS'
COMPENSATION APPEALS
BOARD/(NUNO)**

S176053 D052127 Fourth Appellate District, Div. 1

Petition for review & depublication request(s) denied

**ALI (ABDULAH) v. U.S.A.
CAB, LTD.**

S176093 A122884 First Appellate District, Div. 2

Petition for review denied

**RUSTIC RETIREMENT v.
STATE WATER RESOURCES
CONTROL BOARD**

S176186 G040555 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARTINEZ
(EDWARD)**

S176224 C059518 Third Appellate District

Petition for review denied

**PEOPLE v.
WOLFENBARGER (JIM
DEAN)**

S176260 F055507 Fifth Appellate District

Petition for review denied

**PEOPLE v. MASON, JR.,
(FRANK)**

S176276 B209187 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GONZALES
(RICHARD RAUL)**

S176284 A121926 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SANDERS (MARK
D.)**

S176325 A122632 First Appellate District, Div. 4

Petition for review denied

**MENDOZA (LOUISA) v.
UNITED AIR LINES, INC.**

S176335 C056362 Third Appellate District

Petition for review denied

**WEST BAY BUILDERS, INC.
v. KAMRAN & COMPANY,
INC.**

S176340 F052658 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

**STARK PACKING
CORPORATION v. SUNKIST
GROWERS, INC.**

S176401 F058208 Fifth Appellate District

Petition for review denied

**GOFF (THOMAS L.) v. S.C.
(PEOPLE)**

S176403 G042379 Fourth Appellate District, Div. 3

Petition for review denied

**A.N. v. S.C. (ORANGE
COUNTY SOCIAL SERVICES
AGENCY)**

S176423 F055494 Fifth Appellate District

Petition for review denied

**PEOPLE v. URIBE (RUDY
MANUEL)**

S176435 A120976 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. JEANLOUIS
(JUDLIN)**

S176444 C058368 Third Appellate District

Petition for review denied

**PEOPLE v. MEYERS (TERRY
JAY)**

S176445 E045778 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ROOKS
(ANDREW R.)**

S176446 B212873 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. MONTIJO
(MATTHEW)**

S176455 G040491 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. LUERAS (ADAM CHRISTOPHER)

S176456 B209700 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. CAMPA (ARTURO LOPEZ)

S176459 H033873 Sixth Appellate District

Petition for review denied

IN RE J.B.

S176460 E045839 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. CHANEY (SHAWN ALAN)

S176471 B202013 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. MITCHELL (CARL ANTHONY)

S176480 B206656 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. WINGO (VICTOR)

S176484

Petition for writ of mandate/prohibition denied

GARCIA (MARIO FLAVIO) v. COURT OF APPEAL, THIRD APPELLATE DISTRICT (PEOPLE)

S176490 F054842 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

PEOPLE v. OLIVAS (GABRIEL)

S176492 C058682 Third Appellate District

Petition for review denied

**PEOPLE v. DILLINGHAM
(JASON MCKINLEY)**

S176495 E046119 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ORTIZ (ANGEL
AURELLO)**

S176496 H033171 Sixth Appellate District

Petition for review denied

**PEOPLE v. FRYMAN
(DOUGLAS)**

S176497 A120809 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JOHNSON
(TAMEL RAY)**

S176498 D054734 Fourth Appellate District, Div. 1

Petition for review denied

IN RE EVA F.

S176502 D054625 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DURAN (MARLO
DUKE)**

S176505 B217710 Second Appellate District, Div. 3

Petition for review denied

**WILLSEY (BURKE) v. S.C.
(GERINGER)**

S176506 F056594 Fifth Appellate District

Petition for review denied

**PEOPLE v. CASNER
(KENNETH HOWARD)**

S176511 B209403 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. BLUMBERG
(WILLIAM GERALD)**

S176512 F054836 Fifth Appellate District

Petition for review denied
Baxter, J., was recused and did not participate.

PEOPLE v. RIVERA (JESUS COLMENERO)

S176514 C059624 Third Appellate District
Petition for review denied

IN RE C.R.

S176519 F058404 Fifth Appellate District

Petition for review denied

**HAMMERSTROM (BRUCE)
v. S.C. (CITY OF MODESTO)**

S176521 A122889 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MCBADE
(WANDA MARIE)**

S176532 C057695 Third Appellate District

Petition for review denied

PEOPLE v. NAYLOR (TROY MITCHELL)

S176533 G040185 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. NGUYEN (QUOC TRUNG)

S176540 B200622 Second Appellate District, Div. 2

Petition for review denied

**MISHLER (TIMOTHY G.) v.
KINDER (MARGARET)/
(KINDER)**

S176548

Petition for writ of mandate/prohibition denied

**RICHARDSON (SAMMYE) v.
S.C.**

S176558 B205018/B216466 Second Appellate District, Div. 4 **PEOPLE v. HERNANDEZ (OSCAR)**

Petition for review denied

S176561 B211165 Second Appellate District, Div. 6 **PEOPLE v. BROWN (DUANE)**
Petition for review denied

S176571 H033552 Sixth Appellate District **IN RE S.W.**
Petition for review denied

S176572 D054860 Fourth Appellate District, Div. 1 **IN RE N.G.**
Petition for review denied

S176578 G041045 Fourth Appellate District, Div. 3 **PEOPLE v. FAROOQI (PASHTOON)**
Petition for review denied

S176582 A122583 First Appellate District, Div. 3 **PRESTON (ROBERT T.) ON H.C.**
Petition for review denied

S176583 A119594 First Appellate District, Div. 2 **PEOPLE v. NORVELL (BRIAN THOMAS)**
Petition for review denied

S176586 A121200 First Appellate District, Div. 3 **PEOPLE v. CLARK (CRAIG)**
Petition for review denied

S176589 B211199 Second Appellate District, Div. 1 **MOORE (RUBY LOIS), CONSERVATORSHIP OF**
Petition for review denied

S176591 B208424 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. ABARCA (ALAN OMAR)

S176592 B207279 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. PENSADO (YVONNY)

S176596 B209287 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. BRIGGS (QUIANA CHERIE)

S176599 B210371 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. RIVAS (JOSE)

S176601 B212133 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. THOMPSON (LINDBERG)

S176604 B208211 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. THYMES (JERMONE)

S176608 E045501 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. RAY (ROBERT GLEN DANIEL)

S176609 A125547 First Appellate District, Div. 3

Petition for review denied

**D.H. SMITH COMPANY, INC.
v. WORKERS'
COMPENSATION APPEALS
BOARD/(MARTINEZ)**

S176614 B218258 Second Appellate District, Div. 1

Petition for review denied

**NEUBAUER (THEODORE) v.
S.C. (PEOPLE)**

S177145 H034777 Sixth Appellate District

The application for stay and writ of certiorari are denied.

**CANTERO (LLOYD T.) v. S.C.
(PEOPLE)**

S177338 D056050 Fourth Appellate District, Div. 1

Petition for review & application for stay denied

**JOINER (CHARLES) v. S.C.
(PEOPLE)**

S172229

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**ANDREWS (BILLY J.) ON
H.C.**

S172289

Petition for writ of habeas corpus denied

**MICHAIL (ALBERT MUFID)
ON H.C.**

S172360

Petition for writ of habeas corpus denied

**GARNER (CHRISTOPHER)
ON H.C.**

S172417

Petition for writ of habeas corpus denied

LEE (MICHAEL) ON H.C.

S172453

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**ROBINSON (NEHEMIAH) ON
H.C.**

S172778

Petition for writ of habeas corpus denied

**YERGENSON (HAROLD
LAMAR) ON H.C.**

S173001**HARRISON (ANNE MARIE)
ON H.C.**

Petition for writ of habeas corpus denied

S173226**BEDFORD (TROYAN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S173234**BEDFORD (TROYAN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S173238**MCGEE (JOHN
FITZGERALD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S173239**GOMEZ (JUAN GARCIA) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S173245**BESWETHERICK (MARK)
ON H.C.**

Petition for writ of habeas corpus denied

S173248**VASQUEZ (ZEFERINO
ORTIZ) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S173264**MILES (TRACY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S173301**BROWN (JAMES RAY) ON
H.C.**

Petition for writ of habeas corpus denied

S173310**ALFORD (TRACY FIDEL) ON
H.C.**

Petition for writ of habeas corpus denied

S173317**LOLLIS (KEITH) ON H.C.**

Petition for writ of habeas corpus denied

S173330**HAYS (WILLIAM E.) ON H.C.**

Petition for writ of habeas corpus denied

S173341**ROBINSON (DAMON) ON
H.C.**

Petition for writ of habeas corpus denied

S173447**SAIF'ULLAH (KHALIFAH E.
D.) ON H.C.**

Petition for writ of habeas corpus denied

S173459**FRIAS (MANUEL) ON H.C.**

Petition for writ of habeas corpus denied

S173471**ORTIZ (FERNANDO) ON H.C.**

The petition for writ of habeas corpus is denied without prejudice to filing a petition for writ of habeas corpus in the trial court. (See *In re Lawrence* (2008) 44 Cal.4th 1181.)

S173476**KOENIG (STEVEN THOMAS)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S173479

Petition for writ of habeas corpus denied

BROWN (LEWIS) ON H.C.**S173489**

Petition for writ of habeas corpus denied

DUBOIS (ALBERT) ON H.C.**S173528**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**SOTO (ABRAHAM) ON H.C.****S173531**

Petition for writ of habeas corpus denied

URBINA (TONY L.) ON H.C.**S173575**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**HAIL (RICHARD O.) ON H.C.****S173578**

Petition for writ of habeas corpus denied

FISHER (DONALD) ON H.C.**S173585**

Petition for writ of habeas corpus denied

BREVARD (JACOB) ON H.C.**S173588**

Petition for writ of habeas corpus denied

**SPRAGGINS (LESTER) ON
H.C.****S173621**

Petition for writ of habeas corpus denied

**ROWE (THEODORE) ON
H.C.****S173622**

Petition for writ of habeas corpus denied

SCOTT (BYRON L.) ON H.C.

S173626**MCCALL (ALGENON
CALVIN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S173633**BALDOVINOS (ELBER) ON
H.C.**

Petition for writ of habeas corpus denied

S173671**FRANK (RAYMOND T.) ON
H.C.**

Petition for writ of habeas corpus denied

S173677**KAPAHUA (JOE C.) ON H.C.**

Petition for writ of habeas corpus denied

S173689**BAYRAMOGLU (FIKRI) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S173717**HOLT (DANA ANTONIO) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S173718**SMITH (DWIGHT LOUIS) ON
H.C.**

Petition for writ of habeas corpus denied

S173753**ADAMS, SR., (JIMMIE LEE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S173762**HOUGHTON (JOE A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S173768**GOINS (LEE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S173782**HAMILTON (FREDERICK)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)

S173810**SIMENTAL (LEONARD P.)
ON H.C.**

Petition for writ of habeas corpus denied

S173852**CHATMAN (LARRY A.) ON
H.C.**

Petition for writ of habeas corpus denied

S173879**RHINES (MICHAEL J.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Nguyen* (2009) 46 Cal.4th 1007.)

S173882**GAINES (DARIUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S173884**GALLARDO (JOSEPH L.) ON
H.C.**

Petition for writ of habeas corpus denied

S173970

**VELEZ (RICARDO T.) ON
H.C.**

Petition for writ of habeas corpus denied

S173975

**CARDONA (JESUS G.) ON
H.C.**

Petition for writ of habeas corpus denied

S174650

**WASHINGTON (RODERICK)
ON H.C.**

Petition for writ of habeas corpus denied

S176162

LORENZ (DANIEL) ON H.C.

Petition for writ of habeas corpus denied

S176234

**PEA (SAMMY SULUFAIGA)
ON H.C.**

Petition for writ of habeas corpus denied

S176476

HAN (XIAO) ON H.C.

Petition for writ of habeas corpus denied

S176639

**JACKSON (STEPHEN) ON
H.C.**

Petition for writ of habeas corpus denied

S176650

**MARQUEZ (HELENA
SANCHEZ) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S176665

**OBERPRILLER (WILLIAM)
ON H.C.**

Petition for writ of habeas corpus denied

S176765

Petition for writ of habeas corpus denied

SMITH (WILLIAM) ON H.C.**S176766**

Petition for writ of habeas corpus denied

**BROMM (STEVEN
MICHAEL) ON H.C.****S176860**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)**FAY (PATRICK NELSON) ON
H.C.****S176863**

Petition for writ of habeas corpus denied

BONTY (MILES O.) ON H.C.**S176891**

Petition for writ of habeas corpus denied

**WHITE, JR., (CHARLES
RICKEY) ON H.C.****S176031**

B203476 Second Appellate District, Div. 8

Depublication request denied (case closed)

**CLARK (DERAIN) v.
AMERICAN RESIDENTIAL
SERVICES, LLC./(NALUZ)****S176268**

G040324 Fourth Appellate District, Div. 3

Depublication request denied (case closed)

**MCMAHON (GAIL M.) v.
CRAIG (DIANE)****S176274**

F055896 Fifth Appellate District

Publication request denied (case closed)

Baxter, J., was recused and did not participate.

IN RE J.Y.**S176332**

B205542 Second Appellate District, Div. 3

Publication request denied (case closed)

**GUTIERREZ (ALBERTO) v.
RODRIGUEZ (JOSE LUIS)**

S029843**PEOPLE v. BECK (JAMES
DAVID) & CRUZ (GERALD
DEAN)**

Extension of time granted

Good cause appearing, and based upon counsel Andrew Parnes's representation that he anticipates filing appellant James David Beck's reply brief by July 1, 2010, counsel's request for an extension of time in which to file that brief is granted to December 22, 2009. After that date, only three further extensions totaling about 190 additional days are contemplated.

S075727**PEOPLE v. JOHNSON
(CEDRIC JEROME)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Marc A. Kohm's representation that he anticipates filing the respondent's brief by May 2, 2010, counsel's request for an extension of time in which to file that brief is granted to December 29, 2009. After that date, only three further extensions totaling about 140 additional days are contemplated.

S089311**PEOPLE v. HENRIQUEZ
(CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Margo J. Yu's representation that she anticipates filing the respondent's brief by December 30, 2009, counsel's request for an extension of time in which to file that brief is granted to December 30, 2009. After that date, no further extension is contemplated.

S095076**PEOPLE v. PENUNURI
(RICHARD)**

Extension of time granted

Good cause appearing, and based upon counsel Stephen M. Lathrop's representation that he anticipates filing the appellant's opening brief by September 2, 2010, counsel's request for an extension of time in which to file that brief is granted to December 28, 2009. After that date, only four further extensions totaling about 240 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S097558**PEOPLE v. GARTON (TODD
JESSE)**

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey J. Gale's representation that he anticipates filing the appellant's opening brief by Fall 2010, counsel's request for an extension of time in which to file that brief is granted to December 22, 2009. After that date, only five further extensions totaling about 300 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S130263**GAY (KENNETH EARL) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary D. Sowards's representation that he anticipates filing the traverse by November 30, 2009, counsel's request for an extension of time in which to file that document is granted to November 30, 2009. After that date, no further extension is contemplated.

S171312**RAMIREZ (RICHARD M.) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Margaret E. Maxwell's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by November 23, 2009, counsel's request for an extension of time in which to file that document is granted to November 23, 2009. After that date, no further extension is contemplated.

S173586

D052181 Fourth Appellate District, Div. 1

**STATE BUILDING &
CONSTRUCTION TRADES
COUNCIL OF CALIFORNIA,
AFL-CIO v. CITY OF VISTA**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file respondents' answer brief on the merits is extended to December 2, 2009.

No further extension is contemplated.

S175837**SHELLEY (LEROY) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to November 25, 2009.

S053228**PEOPLE v. ALEXANDER
(ANDRE STEPHEN)**

Motion for access to sealed record granted

The court, on its own motion, orders unsealed the following portions of the reporter's transcript: Volume 4A, pages 110-140; and Volume 64A, pages 7369-7372. (See Cal. Rules of Court, rules 8.610(b), 8.328(c)(6).) The clerk is directed to make the unsealed copies part of the public record for this appeal, and send copies to counsel for respondent.

S166747

B198228 Second Appellate District, Div. 6

**JOHNSON (ROBERT L.) v.
GREENELSH (KATHRYN A.)**

Request for judicial notice denied

The requests for judicial notice filed on February 17, 2009, are denied.

S177399

B206170 Second Appellate District, Div. 2

**PEOPLE v. CASTRO
(TRANQUILINO)**

Order filed

The time for granting review on the court's own motion is hereby extended to November 16, 2009. (Cal. Rules of Court, rule 8.512 (c).) This order is entered nunc pro tunc as of October 16, 2009.

S175819**RULE 9.21 (CRC)**

Rule adopted as recommended

The amendments to rule 9.21 of the California Rules of Court, recommended for approval by the Board of Governors of the State Bar of California, and set forth in the attachment of this order, is approved, to be effective January 1, 2010.

S176128**KEMPER, ACCUSATION OF**

Petition denied (accusation)

S176200**STONE, ACCUSATION OF**

Petition denied (accusation)

S176317**VILLAREAL, ACCUSATION
OF**

Petition denied (accusation)

S176475

Petition denied

(accusation)

MINER, ACCUSATION OF**S176530**

Petition denied

(accusation)

BANDA, ACCUSATION OF**S176568**

Petition denied

(accusation)

**MARTINEZ, ACCUSATION
OF****S176594**

Petition denied

(accusation)

**GILKERSON, ACCUSATION
OF**

Fourth Appellate District, Div. 2

TRANSFER ORDERS

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division Three:

1. E048523
2. E048724
3. E048645
4. E048666

People v. Ricardo Ruiz
People v. Joseph Williams
People v. Harry Whitehead
People v. Willie Ross et al.

